

DATE: April 24, 2023

TO: Tony LaColla, AICP, Division Chief, Land Use Services  
Department of Planning and Zoning

FROM: Mavis Stanfield, Urban Planner  
Department of Planning and Zoning

SUBJECT: Special Use Permit #2023-00027  
Administrative Review for a Minor Amendment  
Site Use: Multifamily dwelling  
Applicant: Stephanie Chauffournier on behalf of Portner's Landing Unit Owners  
Association  
Location: 621 North Saint Asaph Street  
Zone: CRMU-X/Commercial residential mixed use (Old Town North)  
zone

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### **Request**

Special Use Permit #2023-00027 is a request for a Minor Amendment to permanently remove screening for rooftop mechanical equipment. Portner's Landing is a four-story building which has 36 condominium units. The Condominium Owners Association is undertaking a roof replacement and would like to eliminate the existing screening, installed at the time of development, when it replaces the roof. The developer had agreed to the screening during the SUP public hearing in 1996. The association states that replacing the rooftop screening, which includes horizontal slats over the mechanical units, would impose a considerable increase in expense for each individual unit owner to pay for the roof replacement.

### **Background**

On December 14, 1996, SUP #96-0145 was approved by City Council for the construction of townhomes and condominiums at 615 North Saint Asaph Street, which at that time included the subject application property. That approval was amended on December 13, 1997, with SUP #97-0160, to allow additional height for the new condominium building. The SUP was amended again on June 2, 1998, with SUP #98-0067, to reduce and relocate the open space required on the site. During City Council consideration at public hearing of the initial SUP, representatives from the Alexandria House Condominium, located at 400 Madison Street, requested that the rooftop mechanical equipment be screened as viewed from the rooftop of their building. An SUP condition was not added to require screening, because the original developer/applicant agreed to screen the mechanical equipment as a courtesy, and the screen has remained in place since construction of the building.

### **Community Outreach**

Public notice was provided through eNews, via the City's website, and by posting placards on all four sides of the site. On April 4, 2023, staff received an email from Adrienne Cadik, President of the Council of Co-Owners of the Alexandria House Condominium expressing council's objections to the elimination of the screening. The reasoning for the objection was that the exposed mechanical equipment would be visible from the Alexandria House Condominium, would be unsightly and would create a noise transmission issue to the owners and residents of the Alexandria House.

It is noted that the Alexandria House Council was made aware of the application by someone who saw one of the SUP notification placards on the building. The email from Adrienne Cadik was received several days past the public comment period deadline of March 29, 2023. However, staff provided an additional week of time to allow the Alexandria House to submit additional comments, if so desired. No further comments were received.

### **Staff Action**

Staff supports the applicant's request to eliminate screening enclosing the rooftop mechanical equipment as part of the roof replacement. Section 6-403 (B) of the Zoning Ordinance requires that all rooftop appurtenances be concealed by or constructed of exterior architectural materials or features of the same type of quality used on the exterior walls of the main building in question. The intention of this provision is to provide visual relief only at the street level public right-of-way, not from nearby rooftops, and it is not intended to reduce potential noise impacts. The property was constructed with a parapet that shields the rooftop appurtenances from the street-level public rights-of-way. As the applicant demonstrated in the application material submitted, several buildings in the nearby vicinity have been constructed in subsequent years without screening, as their rooftop appurtenances are shielded by parapets, so that they are not visible from the right-of-way. Some recent projects have included screening walls around the rooftop units when the units were visible from the public right-of way; however, the Portner's condominium building is the only to have screening above the units as well.

Further, the applicant maintains that many of the mechanical appurtenances will be hidden from view by a stairwell/elevator shaft in the northeast corner of the area that will be used for mechanical equipment. As a result, only 26 of the mechanical units will be visible from nearby buildings in the vicinity with rooftop elevations higher than the subject property, and those units would occupy less than 1,400 square feet, or an insignificant area compared to nearby buildings which were constructed without screening walls. None of these units will be visible from the street.

The property is located at least 400 feet from the Alexandria House, a distance that will alleviate any noise concerns. Lastly, the residential condominium use must comply with the Alexandria City Code noise ordinance, which governs noise limits on adjacent properties.

Staff recommends approval with the addition of Condition #64, which reiterates the Zoning Ordinance requirement that allows rooftop appurtenances not to be screened when they cannot be viewed from the public right-of-way. Previous conditions from the SUPs that addressed building

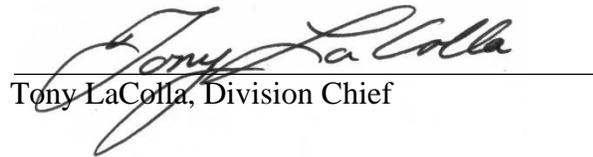
construction were carried forward.

Staff hereby approves the Special Use Permit request.

**ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:**

Date: April 24, 2023

Action: Approved

  
Tony LaColla, Division Chief

Attachments: 1) Special Use Permit Conditions  
3) Department Comments  
2) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT #2023-00027

1. Any inconsistencies between the various drawings submitted by the applicant shall be reconciled to the satisfaction of the Directors of Planning and Zoning (P&Z) and Transportation and Environmental Services (T&ES) (P&Z)(SUP#96-0145)
2. Provide a 9.78 foot landscaped setback from the interior roadway to the west wall of the north and south rows of townhomes and a 7 foot landscaped setback from the alleys to the north and south ends of the central row of townhomes, to the satisfaction of the Director of P&Z. (P&Z)(City Council) (SUP#96-0145)
3. Shift a majority of the facades of townhouse units 15-25 to the east 3.5 feet to create a larger sidewalk/planting area. (P&Z)(SUP#96-0145)
4. Provide a minimum 850 square foot indoor community room in the new multi-family building with a minimum 400 square foot adjacent outdoor terrace, easily accessible from the exterior and open to all residents of the project, including townhouse owners, to the satisfaction of the Director of P&Z. (P&Z)(PC)(SUP#96-0145)
5. Condition deleted. (City Council)(SUP#96-0145)
6. Provide a public pedestrian access easement over the north-south roadway and no gates shall be erected at this street entrance. (P&Z)(SUP#96-0145)

7. Provide a minimum of 4 foot by 6 foot for street tree wells on the public streets, with 4.5 foot additional clear sidewalk width, for a total 8.5 foot wide sidewalk. (P&Z)(SUP#96-0145)
8. The interior north-south roadway (alley) on which units front shall be designed to accommodate two-way traffic on a minimum pavement width of 22 feet, with a mountable curb, sidewalks and street trees on each side. Sidewalks shall be a minimum clear pedestrian walkway of 5 feet (except adjacent to parking where it is 4 feet) with 4 foot by 6 foot street tree wells. Tree grates may be counted toward the minimum sidewalk width in limited instances, with the approval of the Director of P&Z. (P&Z)(PC)(SUP#96-0145)
9. The emergency vehicle easement in the alleys shall be prominently signed. Easements must also be striped or driveways may be distinguished from the easements by color and material or texture. (P&Z)(SUP#96-0145)
10. Townhouse garage doors shall have automatic openers. (P&Z)(SUP#96-0145)
11. Provide street trees off-site along the east side of North Pitt Street, adjacent to the Metrobus garage, at 30 feet on center. (P&Z) (SUP#96-0145)
12. Utility poles at the perimeter of the site shall be undergrounded to the extent possible as determined by the Director of T&ES. (P&Z)(SUP#96-0145)
13. Submit homeowners' agreement (HOA), approved by the City Attorney, prior to applying for the first certificate of occupancy permit for the project. Such HOA shall include the conditions listed below, which shall be clearly expressed in a separate section of the HOA. Also, such section within the HOA shall include language which makes clear that the SUP conditions are binding in perpetuity on all unit owners and may not be amended without the prior approval of City Council:
  - A) The principal use of townhouse unit garages shall be for passenger vehicle storage only.
  - B) Vehicles shall be prohibited from parking on sidewalks or encroaching into emergency vehicle easements. The Homeowners Association shall maintain a contract with a private towing company to immediately remove all vehicles parked in the emergency vehicle easement or which project into the easements from unit driveways.
  - C) Exterior building improvements by future residents, including decks not included on the approved plans or different from the approved plans, shall require the approval of City Council or the Director of Planning, as determined by the Director.
  - D) No decks, balconies, bay windows, or any other improvements shall be allowed to encroach into the space above an emergency vehicle easement.

- E) All landscaping and screening shall be maintained in good condition and may not be reduced without approval of City Council or the Director of Planning and Zoning, as determined by the Director. (P&Z)
  - F) In order to insure that additions and alterations to the historic Portner Brewery bottling building are appropriate and in harmony with its historical and architectural setting and environs, no changes to the exterior of this building shall be made without first obtaining approval of the Director of Planning and Zoning. In making a determination of appropriateness, the Director shall follow the Design Guidelines for the Old and Historic Alexandria District and shall consult with the Board of Architectural Review. (City Council) (SUP#96-0145)
14. Minor lot line adjustments shall be permitted to accommodate final design of units subject to the approval of the Directors of Planning and Zoning and Transportation and Environmental Services. (P&Z) (SUP#96-0145)
  15. Temporary structures for construction or sales personnel, as well as sales/marketing signs, shall be permitted, and the size and site design for such temporary structures, including signs, shall be subject to the approval of the Director of Planning and Zoning. (P&Z) (SUP#96-0145)
  16. All utility structures (except fire hydrants) shall be located out of view of public property and rights-of-ways to the extent possible and shall be screened to the satisfaction of the Director of Planning and Zoning. (P&Z) (SUP#96-0145)
  17. Locate the trash dumpster and service areas and indicate method of screening. Show location of all signs and ganged mailboxes. (P&Z) (SUP#96-0145)
  18. Gas fireplaces shall be used, in lieu of wood burning fireplaces, to reduce air pollution. (Health) (SUP#96-0145)
  19. Consult with the Crime Prevention Unit of the Alexandria Police Department regarding a security survey of the sales trailer and regarding locking hardware and security systems for the residential buildings. (Police) (SUP#96-0145)
  20. Provide address numbers on the front and back of each building or home. (Police) (SUP#96-0145)
  21. Lighting in the exterior parking areas, covered garage, and all common areas shall be a minimum maintained 2.0 footcandles or to the satisfaction of the Police and the Director of T&ES. (Police, T&ES) (SUP#96-0145)
  22. Walls and ceilings in the covered garage of the multi-family buildings shall be painted white. (Police) (SUP#96-0145)
  23. The structured parking garage of the multi-family building shall have controlled access.

(Police) (SUP#96-0145)

24. The developer shall make a cash contribution to the Housing Trust Fund in the amount of \$0.50 per gross square foot, payable at the time of the sale of the unit to the end user, or provide units on-site in accordance with an affordable housing plan approved by the Director of the Office of Housing and the Affordable Housing Advisory Committee. The affordable housing plan shall be consistent with prior approved affordable housing plans such as the plan approved for the Edsall Road Townhouses. (Housing) (City Council) (SUP#96-0145)
25. Provide an additional light on the northeast corner of the site (S.W. corner of N. Pitt St. and Wythe St.) and an additional street light near the most southern street entrance on Pitt Street. (T&ES) (SUP#96-0145)
26. Locate lights so that tree foliage does not attenuate the fixture's illumination. Resolve all conflicts with proposed trees and street lights to the satisfaction of the Director of T&ES and the City Arborist. (T&ES, RPCA) (SUP#96-0145)
27. Indicate type of fixture and show mounting height and strength of fixture in Lumens. Provide manufacturer's specifications for fixtures. (T&ES) (SUP#96-0145)
28. Provide lighting calculations to verify that lighting meets City standards. (T&ES) (SUP#96-0145)
29. Show all existing and proposed easements, both public and private. Provide perpetual easements, acceptable to the City Attorney and the Director of T&ES, that will permit rear yard access, the installation and maintenance of sanitary laterals and downspouts, roadways, Best Management Practices, and so forth on individual lots. (T&ES) (SUP#96-0145)
30. Indicate the limits of the underground parking on the final site plan and show an underground parking plan with dimensioned parking spaces, column locations and the distance between them. (T&ES) (SUP#96-0145)
31. Provide a plan showing drainage divides and computations. (T&ES) (SUP#96-0145)
32. Show all public sewers in easements. (T&ES) (SUP#96-0145)
33. Show size, type, and class of pipe for sewers. The minimum size and class for sewers within the public right-of-way or easement, including the emergency vehicle easements, are as follows:

Sanitary Sewer: PVC SDR-35 or approved equal, a minimum of 10 inches in diameter.

Storm Sewer: ASTM C-76 CL.IV RCCP or approved equal, a minimum of 18

inches in diameter, except that curb inlet leads may be 15 inches in diameter. (T&ES) (SUP#96-0145)

34. Show the location and size of sanitary laterals and provide a lateral table. (T&ES) (SUP#96-0145)
35. Show the location of roof drains and where connected to the storm sewer. (T&ES) (SUP#96-0145)
36. Show a detail of the trench drains. (T&ES) (SUP#96-0145)
37. Show contours, spot elevations on curb returns, along curbs and buildings, and at the top and bottom of walls at appropriate intervals sufficient to determine drainage patterns and differences in elevation. (T&ES) (SUP#96-0145)
38. Change the entrance on Pendleton Street and the north-south roadway to two-way traffic and show a continuous sidewalk on both sides of the roadway, noting that the minimum width for sidewalk adjacent to the curb is 5 feet, except adjacent to parking where it is 4 feet. (T&ES)(PC) (SUP#96-0145)
39. Show pedestrian ramps and the width of roadways and sidewalks. (T&ES)(PC) (SUP#96-0145)
40. Provide a minimum of 3 feet clearance from the face of curb to buildings or, when sidewalk is present, comply with minimum sidewalk widths. (T&ES) (SUP#96-0145)
41. Show proposed entrances off public streets as City standard entrances with 15 foot turning radii (CSES-1A). (T&ES)(PC) (SUP#96-0145)
42. Identify curb and gutter, inlets, driveway entrances and such on the plan. City standard is required within the public right-of-way or easement although, either City standard or VDOT standard may be used elsewhere, provided the plan specifies which. Show details of each in the plans. A "Stick On" reproduction is acceptable. (T&ES) (SUP#96-0145)
43. All emergency vehicle easements and respective pavement structure must be designed and constructed in accordance with City standards (CSAP-1A). (T&ES) (SUP#96-0145)
44. Condition deleted. (City Council) (SUP#96-0145)
45. Show emergency vehicle easements on the plan in accordance with Code Enforcement requirements. (T&ES) (SUP#96-0145)
46. Provide City standard signs for handicap parking and emergency vehicle easements. (T&ES) (SUP#96-0145)
47. Show typical sections and pavement structure of the roadways and alleys. (T&ES)(PC)

(SUP#96-0145)

48. Show roadway name. (T&ES) (SUP#96-0145)
49. Identify alleys on the plan. (T&ES) (SUP#96-0145)
50. All private roadways and alleys must be designed and constructed in accordance with the City's minimum standards for same as specified in the City Design and Construction Standards or as approved by the Director of T&ES (with 15 foot turning radii on all alleys). Note minimum radii for curb returns and setbacks from alleys. As shown, vehicles will have a very difficult time negotiating turns without interference from buildings and fences. Also, backup aisles out of the driveways is very restrictive. (T&ES)(PC) (SUP#96-0145)
51. Provide additional growing space for trees in the interior of the site. Provide a minimum of 4 foot by 6 foot clear and unobstructed ground area for each proposed tree and connect tree wells with a continuous trench to the satisfaction of the City Arborist. (RPCA) (SUP#96-0145)
52. Recalculate proposed crown coverage exhibit to the satisfaction of the City Arborist. (RPCA) (SUP#96-0145)
53. Recalculate proposed open space, excluding areas which are not a minimum of 8 feet by 8 feet in width. (RPCA) (SUP#96-0145)
54. The applicant shall be responsible for the protection and maintenance of all existing City trees adjacent to the site and will be required to prune, remove and replace trees, as determined by the City Arborist, at the completion of the project. (RPCA) (SUP#96-0145)
55. Provide detailed information on tree protection program during excavation and construction to the satisfaction of the City Arborist. Note relevant street tree protection measures on site demolition, excavation and foundation construction drawings. (P&Z) (SUP#96-0145)
56. Locate all site utilities, including items such as (but not limited to) roof drains, electric, sanitary and water service, street lights, transformers and service boxes so as not to conflict with proposed landscape plantings or designated open space areas. (P&Z) (SUP#96-0145)
57. The applicant shall attach a copy of the final released site plan to each building permit document application and be responsible for insuring that the building permit drawings are consistent and in compliance with the final released site plan prior to review and approval of the building permit by the Departments of Planning and Zoning and Transportation and Environmental Services. (P&Z) (SUP#96-0145)
58. That, as a result of these conditions, the applicant be permitted to replace townhouses that have been eliminated with five additional condominium units that will be in place of the lofts on the units on the top floor of the east side of the new proposed condominium

building. (PC) (SUP#96-0145)

59. The northern 3/4 of the new condominium building located in the 66' height district may be increased to 62'. (P&Z) (SUP#97-0160)
60. The applicant may reduce open space to 24% plus a community room, as generally shown in the released final site plan, provided that the applicant contributes \$10,000 to the City to be utilized for planting trees and improving green space in the Old Town North Area and throughout the City to compensate for the loss of open space on this site. (City Council) (SUP#98-0067)
61. The applicant may reduce open space to 23% plus a community room, as generally shown on the exhibits submitted with this application for amendment, provided that the applicant contributes an additional \$10,000 to the City to plant trees and improve green space in the Old Town North area and throughout the City to compensate for the additional loss of open space on the site. (City Council) (SUP#98-0067)
62. With regard to the encroachment for the breakfast nooks which shall be offered to the purchasers of each unit as an option rather than a required part of the unit. (City Council) (SUP#98-0067)
63. The payment of the total \$20,000 is to be made prior to the issuance of the occupancy permit. (City Council) (SUP#98-0067)
64. **CONDITION ADDED BY STAFF:** The screening of rooftop mechanical HVAC equipment shall meet the requirements of Zoning Ordinance Section 6-403(B)(1). No additional screening beyond what is visible from the public right-of-way is required.
65. **CONDITION ADDED BY STAFF:** Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- F-1 Current condition #18 states gas fireplaces shall be used in lieu of wood burning fireplaces, to reduce air pollution. Recommend this be updated to use electric fireplaces, if applicable.
- F-2 Applicant should ensure HVAC system on rooftop meets/complies with noise code requirements prior to removing screening wall.
- R-1 Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
- C-1 Comply with the City of Alexandria's Noise Control Code, Title 11, Ch. 5, which sets the maximum permissible noise level as measured at the property line.

Code Enforcement:

No comments.

Parks and Recreation:

No comments.

Police Department:

No comments.

Health Department:

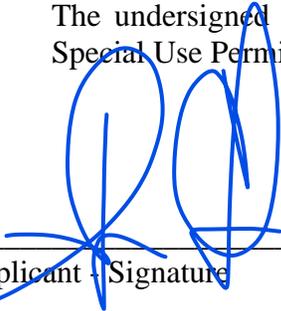
No comments.

Fire Department:

No comments.

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2023-00027 for 621 North Saint Asaph Street.

  
\_\_\_\_\_  
Applicant - Signature

4/25/23  
\_\_\_\_\_  
Date

Stephanie Chaufournier, as a representative of the Portner's Landing Unit Owners Association  
Applicant – Printed

\_\_\_\_\_  
Date